

09/12/2011 – **DAVIS-MONTHAN AFB, Ariz.** -- *Editor's note: Each month, the legal office publishes the results of actions under the Uniform Code of Military Justice completed during the previous month. Specific individuals who received Nonjudicial Punishment are not identified.*

**Article 15 Actions:** During August 2011, D-M commanders administered 21 Nonjudicial Punishment actions under Article 15 of the UCMJ. The punishments imposed reflect the commander's determination of an appropriate punishment after considering the circumstances of the offense and the offender's record. A "suspended" punishment does not take effect unless the offender engages in additional misconduct or fails to satisfy the conditions of the suspension. The suspension period typically lasts for six months unless a lesser amount is specified.

**Disrespect to a NCO** - An Airman First Class received a suspended reduction to Airman, 15 days of extra duty, and a reprimand.

**Spice use** – An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months and a reprimand.

**Spice use** – An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months with forfeitures in excess of \$366.00 pay per month for two months suspended, 45 days extra duty, and a reprimand.

**Spice use** - An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months with forfeiture of pay in excess of \$366.00 pay per month for two months suspended, 45 days extra duty, and a reprimand.

**Spice use** - An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months suspended, 30 days extra duty and a reprimand.

**Failure to go** – An Airman First Class received a reduction to Airman Basic suspended, forfeiture of \$400.00 pay per month for two months and a reprimand.

**Spice use** - An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months suspended, 45 days extra duty and a reprimand.

**Spice and Ecstasy use** – An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months with forfeiture of pay in excess of \$366.00 pay per month for two months suspended, 45 days extra duty and a reprimand.

**Spice use** - An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months suspended, 45 days extra duty and a reprimand.

**Spice use** - An Airman First Class received a reduction to Airman Basic, forfeiture of \$733.00 pay per month for two months suspended, 30 days extra duty and a reprimand.

**Sleeping while on duty** – An Airman First Class received a reduction to Airman suspended, 15 days extra duty and a reprimand.

**Failing to go x 2** - A Staff Sergeant received a reduction to Senior Airman suspended, forfeiture of \$250.00 pay per month for two months and eight days extra duty.

**Failing to go x 4; failure to obey a lawful order** - An Airman First Class received a reduction to Airman with Airman Basic suspended and a reprimand.

**Dereliction of duty; failure to go** - An Airman First Class received a reduction to the grade of Airman suspended, 30 days extra duty and a reprimand.

**Failure to go** - A Senior Airman received a reduction to Airman First Class suspended, 15 days extra duty and a reprimand.

**Marijuana use** - A Senior Airman received a reduction to Airman First Class with a reduction to Airman suspended, 15 days extra duty and a reprimand.

**Failure to go; dereliction of duty** - An Airman received a reduction to Airman Basic, 45 days extra duty and a reprimand.

**Failure to go** - An Airman First Class received a reduction to Airman suspended, forfeiture of \$100.00 pay per month for two months, restriction to the limits of Davis-Monthan AFB for 30 days, 15 days extra duty and a reprimand.

**Drunk while on duty** - A Technical Sergeant received a reduction to Staff Sergeant, forfeiture of \$1,400.00 pay per month for two months suspended, 20 days extra duty and a reprimand.

**Dereliction of duty** - A Master Sergeant received a reduction to Technical Sergeant and a reprimand.

**Dereliction of duty x 2** - A Chief Master Sergeant received a reduction to Senior Master sergeant and a reprimand.

**Courts-martial:** *All courts-martial are open to the public. If you would like to attend one, contact Military Justice at 228-5242 for information on the next scheduled trial.*

1) **Staff Sergeant Danny Makowsky, Jr.**, 355th Aircraft Maintenance Squadron, was tried by special court-martial on 16 August. He was found guilty of child endangerment and discharging a loaded firearm in his residence. He was sentenced by a military judge to a reduction to Senior Airman, hard labor without confinement for three months, and a reprimand.

2) **Airman Basic David Oliver**, 355th Operational Support Squadron, was tried by special court-martial on 18 August. He was found guilty of indecent being absent without leave (AWOL) and wrongful use of marijuana. He was sentenced by a jury of military members confinement for 72 days and a bad conduct discharge.